

09-04-01

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CD-ROM

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	26564-2	
First Inventor	Eric L. Boyd	
Title	Method And System For Probing A Network	
Express Mail Label No.	EJ 210 144 720 US	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages **45**]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets **6**]
5. Oath or Declaration [Total Pages]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Unsigned Declaration and Power of Attorney; Transmittal Of Computer Program Appendix

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____ Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

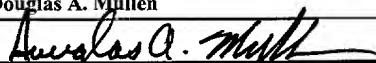
19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label _____ or Correspondence address below
(Insert Customer No. or Attach bar code label here)

Name	Douglas A. Mullen		
	Dickinson Wright PLLC		
Address	1901 L. Street, NW		
	Suite 800		
City	Washington, D.C.	State	Zip Code
Country	USA	Telephone	Fax
Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

Name (Print/Type) Douglas A. Mullen

Registration No. (Attorney/Agent) 38,569

Signature 

Date August 31, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$355.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Eric L. Boyd
Examiner Name	
Group Art Unit	
Attorney Docket No.	26564-2

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

04-1061

Deposit Account Name

Dickinson Wright PLLC

- Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- Applicant claims small entity status. See 37 CFR § 1.27

2. Payment Enclosed:

- Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	355.00
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	
SUBTOTAL (1)			\$355.00

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims 18 -20** = 0	X 0	= 0.00
Independent 3 -3** = 0	X 0	= 0.00
Claims Multiple Dependent		

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		\$0.00

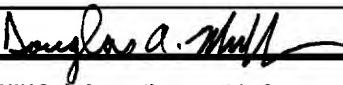
**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non - English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR § 1.17(q)	
126	180	126 180 Submission of Information Disclosure Statement	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Douglas A. Mullen	Registration No. (Attorney/Agent)	38,569	Telephone	(202) 457-0160
Signature			Date	August 31, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eric L. Boyd et al.)
Group Art Unit:)
Examiner:)
Title: Method And System For)
 Probing A Network)
Attorney Docket: 26564-2)

**TRANSMITTAL OF COMPUTER
PROGRAM LISTING APPENDIX**

Commissioner Of Patents And Trademarks
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.96(c), Applicants submit herewith a compact disc containing the "Computer Program Listing Appendix" for the above-identified patent application. An identical, duplicate copy of the compact disc is also being submitted.

The specifications of the compact disc are as follows:

1. Machine Format: IBM PC/XT/AT, or compatibles; and
2. Operating System Compatibility: MS-Windows or Unix.

The following is a list of the files contained on each disc including their names, size in bytes, and dates of creation:

<u>File Name</u>	<u>Size (in bytes)</u>	<u>Date of Creation</u>
fez_probester.cgi.c	4305	August 30, 2001
fez_probester.html	15484	August 30, 2001
fez_probester_ae.c	17133	August 30, 2001
fez_probester_ae.h	557	August 30, 2001
fez_probester_common.h	728	August 30, 2001
fez_probester_config.c	4797	August 30, 2001
fez_probester_config.h	2002	August 30, 2001
fez_probester_de.cgi.c	14270	August 30, 2001
fez_probester_example.html	1553	August 30, 2001
fez_probester_test_ae.c	2444	August 30, 2001
fez_probester_time.c	2369	August 30, 2001
fez_probester_time.h	531	August 30, 2001
handle_signal.c	724	August 30, 2001
pb.c	17543	August 30, 2001

In re Appln. of Eric L. Boyd et al.

<u>File Name</u>	<u>Size (in bytes)</u>	<u>Date of Creation</u>
pbc_multi.c	20532	August 30, 2001
pbc_multi.h	1761	August 30, 2001
pbc_util.c	29385	August 30, 2001
pbc_util.h	3621	August 30, 2001
probester.c	25766	August 30, 2001
probester_calculations.c	3960	August 30, 2001
probester_calculations.h	1464	August 30, 2001
probester_dae.c	26022	August 30, 2001
probester_dae.h	1254	August 30, 2001
probester_dde.pl	1818	August 30, 2001
probester_dde_gen.cgi*	14475	August 30, 2001
probester_dde_submit.cgi*	26139	August 30, 2001
probester_util.c	16627	August 30, 2001
probester_util.h	3629	August 30, 2001
probesterdb.c	10367	August 30, 2001
probesterdb.h	2601	August 30, 2001
string_utilities.c	1565	August 30, 2001
string_utilities.h	449	August 30, 2001
time_limit.c	1231	August 30, 2001
time_limit.h	892	August 30, 2001

Respectfully submitted,

DICKINSON WRIGHT PLLC
Attorneys for Applicants

By:



Douglas A. Mullen
Reg. No. 38,569

Date: August 30, 2001

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DAM/gmp
Enclosures

BLOOMFIELD 26564-2 449668